

## MINUTE SUMMARY

### Board of Directors Meeting

**July 7, 2010**

**Start Time: 9:30 a.m.**

#### LOCATION

**San Bernardino Associated Governments  
Santa Fe Depot - SANBAG Lobby 1st Floor  
1170 W. 3rd Street, San Bernardino, CA**

#### Board of Directors

##### President

Brad Mitzelfelt, Supervisor  
*County of San Bernardino*

##### Vice-President

Bea Cortes, Council Member  
*City of Grand Terrace*

Charley Glasper, Mayor  
*City of Adelanto*

Rick Roelle, Mayor  
*Town of Apple Valley*

Julie McIntyre, Mayor Pro Tem  
*City of Barstow*

Bill Jahn, Mayor Pro Tem  
*City of Big Bear Lake*

Dennis Yates, Mayor  
*City of Chino*

Ed Graham, Vice Mayor  
*City of Chino Hills*

Kelly Chastain, Mayor  
*City of Colton*

Vacant  
*City of Fontana*

Mike Leonard, Council Member  
*City of Hesperia*

Larry McCallon, Council Member  
*City of Highland*

Rhodes "Dusty" Rigsby, Mayor Pro Tem  
*City of Loma Linda*

Paul Eaton, Mayor  
*City of Montclair*

Jeff Williams, Mayor  
*City of Needles*

Alan Wapner, Mayor Pro Tem  
*City of Ontario*

Diane Williams, Council Member  
*City of Rancho Cucamonga*

Patricia Gilbreath, Mayor  
*City of Redlands*

Ed Scott, Council Member  
*City of Rialto*

Patrick Morris, Mayor  
*City of San Bernardino*

Jim Harris, Mayor Pro Tem  
*City of Twentynine Palms*

John Pomierski, Mayor  
*City of Upland*

Ryan McEachron, Council Member  
*City of Victorville*

Richard Riddell, Mayor  
*City of Yucaipa*

William Neeb, Council Member  
*Town of Yucca Valley*

Gary Ovitt, Supervisor  
*County of San Bernardino*

Paul Biane, Supervisor  
*County of San Bernardino*

Neil Derry, Supervisor  
*County of San Bernardino*

Josie Gonzales, Supervisor  
*County of San Bernardino*

Ray Wolfe, Caltrans  
*Ex-Officio Member*

Deborah Robinson Barmack  
*Executive Director*

**San Bernardino Associated Governments  
County Transportation Commission  
County Transportation Authority  
County Congestion Management Agency  
Service Authority for Freeway Emergencies**

**Board of Directors**

**July 7, 2010**

**9:30 a.m.**

**Location:**

**San Bernardino Associated Governments  
Santa Fe Depot  
SANBAG Lobby, 1st Floor  
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Called to Order - 9:30 a.m. by Brad Mitzelfelt

**I Pledge of Allegiance**

**II. Attendance**

**Charley Glasper, Adelanto  
Rick Roelle, Apple Valley  
Julie McIntyre, Barstow  
Bill Jahn, Big Bear Lake  
Dennis Yates, Chino  
Ed Graham, Chino Hills  
Kelly Chastain, Colton  
John Roberts (Alt.), Fontana  
Bea Cortes, Grand Terrace  
Rhodes "Dusty" Rigsby, Loma Linda  
John Dutrey (Alt.), Montclair  
Jeff Williams, Needles  
Alan Wapner, Ontario  
Diane Williams, Rancho Cucamonga  
Patricia Gilbreath, Redlands**

**Ed Scott, Rialto  
Patrick Morris, San Bernardino  
Jim Harris, Twentynine Palms  
John Pomierski, Upland  
Ryan McEachron, Victorville  
Richard Riddell, Yucaipa  
George Huntington (Alt.), Yucca Valley  
\*Paul Biane, County of San Bernardino  
Neil Derry, County of San Bernardino  
Brad Mitzelfelt, County of San Bernardino  
Josie Gonzales, County of San Bernardino  
Ray Wolfe, Caltrans District 8  
Jean-Rene Basle, SANBAG Counsel  
Deborah Robinson Barmack, SANBAG**

**\*Departed after Closed Session**

III. Announcements: President Mitzelfelt requested adjournment of the meeting in memory of David Richard Lewis, Executive Vice President of the Lewis Group. SANBAG policy committees will meet at their regularly scheduled dates and times with the exception of the Mountain/Desert Committee which will meet on July 9<sup>th</sup> to avoid a conflict with the National Association of Counties. President Mitzelfelt presented a SANBAG plaque to departing board member Mark Nuaimi. SANBAG will be hosting two public meetings in the City of Colton related to the Colton Crossing Project. The first meeting is scheduled July 13<sup>th</sup> at 6:00 p.m. in the Hutton Center and the second meeting July 15<sup>th</sup> at 6:00 p.m. in the Luque Center. The California Transportation Commission authorized Design Build for the Devore Interchange Project. Ray Wolfe, Caltrans District 8 Director, was acknowledged for his role in securing State SHOPP funds for the Devore Interchange in exchange for Trade Corridor Improvement Funds. The City of San Bernardino and SANBAG held a press conference to announce the start of construction on the Metrolink parking structure adjacent to the depot. The Public Relations Society of America awarded the 2010 Silver Anvil Award to SANBAG, Westbound Communications, Caltrans, TCM Group and the City of San Bernardino for the I-215 groundbreaking event held in September 2010. Jennifer Franco, Director of Legislative Affairs, who is serving in Afghanistan provided SANBAG with a flag of the United States of America that was flown over Kandahar Airfield on May 5, 2010 in honor of San Bernardino Associated Governments. President Mitzelfelt introduced John Roberts, the Board Member alternate who is representing the City of Fontana.

IV. Agenda Notices/Modifications: Support material provided for Agenda Items 6 and 20. Revised backup material for Agenda Item 13. Agenda Item 19 was revised to provide further information on candidate projects.

#### ***Notes/Actions:***

1. Possible Conflict of Interest Issues for the Board Meeting of Pg. 14  
July 7, 2010

**\*See Notes**

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

**\*Note the following abstentions:**

**Supervisor Josie Gonzales abstained on Agenda Item 13 stating a disqualifying campaign contribution in excess of \$250.**

**Supervisor Brad Mitzelfelt abstained on Agenda Item 13 stating a disqualifying campaign contribution in excess of \$250.**

**Supervisor Neil Derry abstained on Agenda Items 13 stating a disqualifying campaign contribution in excess of \$250.**

**Notes/Actions:**

**MOVED:**

**Jahn**

**SECOND:**

**Riddell**

**26-0-0**

**Consent Calendar**

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 24.

**Administrative Matters**

- |   |        |                             |
|---|--------|-----------------------------|
| <b>2. Board of Directors Attendance Roster</b>  | Pg. 17 | <b>Information Only</b>     |
| <br>  |        |                             |
| <b>3. May 2010 Procurement Report</b><br>Receive Monthly Procurement Report. <b>William Stawarski</b><br><br>This item was reviewed and received by the Administrative Committee on June 9, 2010.   | Pg. 21 | <b>Information Only</b>     |
| <br>  |        |                             |
| <b>4. County of San Bernardino Standard Contract to Provide Accounts Payable/General and Fund Accounting, Payroll and EMACS Services</b><br><br>Approve Contract C10257 with the County of San Bernardino, not to exceed \$250,000, to provide payroll services and other requested accounting services through June 30, 2011. The services provided to SANBAG are to be billed through the County-Wide Cost Allocation Plan (COWCAP). <b>William Stawarski</b><br><br>This item was reviewed by the Administrative Committee on June 9, 2010 and unanimously recommended for approval; and also approved as to form by SANBAG Counsel. | Pg. 23 | <b>Approved Consent</b>     |
| <br>  |        |                             |
| <b>5. Local Stimulus Program Update</b><br>Receive Report on the Identified Projects. <b>Duane Baker</b><br><br>This item was presented to the Mountain/Desert Committee on May 21, 2010 and the Major Projects Committee on June 10, 2010.   | Pg. 30 | <b>Received &amp; Filed</b> |

**Consent Calendar Continued....**

**Regional & Quality of Life Programs**

- |    |  |        |                         |
|----|--|--------|-------------------------|
| 6. | <b>Execution of the Southern California Association of Governments (SCAG) Agreement related to the Implementation of the SANBAG Natural Gas (NG) Truck Project (Project)</b> | Pg. 40 | <b>Approved Consent</b> |
|----|--|--------|-------------------------|

1. Approve Agreement No. C10-121, with the Southern California Association of Governments (SCAG) acting as the Clean Cities' Coalition, for \$130,000, for marketing and outreach for the Project, for the period of July 1, 2010, to December 22, 2013, as outlined below in the Financial Impact Section;

2. Authorize the Executive Director to approve administrative changes to the above contract's Scope of Work, Work Program and/or budget, as needed, that are minor in nature and do not change the Project's scope or funding. **Michelle Kirkhoff**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on June 16, 2010. The contract has been reviewed by Legal Counsel as to form.

- |    |  |        |                         |
|----|--|--------|-------------------------|
| 7. | <b>Agreement for Digital Cellular Services for the San Bernardino Call Box Program</b> | Pg. 44 | <b>Approved Consent</b> |
|----|--|--------|-------------------------|

Approve Amendment No. 1 to Agreement No. 05-002, between the San Bernardino Service Authority for Freeway Emergencies (SAFE) and AT&T Mobility (AT&T), to extend the contract through June 30, 2011, as outlined in the Financial Impact Section below. **Kelly Lynn**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on June 16, 2010. The contract has been reviewed by SAFE Legal Counsel as to form.

**Subregional Transportation Planning & Programming**

- |    |  |        |                         |
|----|--|--------|-------------------------|
| 8. | <b>Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP): Background Information and Recent Developments</b> | Pg. 49 | <b>Information Only</b> |
|----|--|--------|-------------------------|

Receive information on the RTP and RTIP processes and issues. **Ty Schuiling**

This item was reviewed by the Plans and Programs Policy Committee on June 16, 2010.

**Consent Calendar Continued....**

**Subregional Transportation Planning & Programming (Cont.)**

- |    |  |        |                         |
|----|--|--------|-------------------------|
| 9. | <b>Development Mitigation Nexus Study Minor Update</b><br>Approve Minor Update to the 2009 Development Mitigation Nexus Study. <b>Ty Schuiling</b><br>This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on June 16, 2010. | Pg. 59 | <b>Approved Consent</b> |
|----|--|--------|-------------------------|

**Project Development**

- |     |   |        |  |
|-----|---|--------|--|
| 10. | <b>State Route 210 (SR-210) Segment 8 Landscaping</b><br>Approve Landscape Construction Cooperative Agreement No. C10158 with Caltrans for State Route 210 Segment 8 Landscaping. <b>Garry Cohoe</b><br>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved this agreement as to form.<br><b>Mayor Yates requested this item be removed from the Consent Calendar for discussion. He expressed his concerns regarding the expense of landscaping and the inability to maintain it. He requested further review of landscaping options along freeway corridors. Staff indicated additional information would be presented by Caltrans at the July Major Projects Committee. This item was heard after Agenda Item 23.</b> | Pg. 64 | <b>MOVED:</b><br><b>Yates</b><br><b>SECOND:</b><br><b>Pomierski</b><br><b>26-0-0</b> |
| 11. | <b>Amendment No. 1 to Contract C08200 with Vandermost Consulting Services, Inc. for On-Call Environmental Services</b><br>Approve Amendment No. 1 to Contract C08200 with Vandermost Consulting Services, Inc. for On-Call Environmental Services increasing the contract authority by \$800,000.00 for a new not-to-exceed value of \$2,100,000. <b>Garry Cohoe</b><br>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved the agreement as to form.  | Pg. 82 | <b>Approved Consent</b>  |
| 12. | <b>Proposed Grade Separation at Laurel Street and Burlington Northern Santa Fe (BNSF) rail tracks in the City of Colton</b><br>Authorize Staff to release a Request for Proposals (RFP) No. 11001 for environmental and engineering professional services for a proposed Grade Separation at Laurel Street and the BNSF rail tracks in the City of Colton. <b>Garry Cohoe</b><br>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved the agreement as to form.   | Pg. 88 | <b>Approved Consent</b>  |

**Consent Calendar Continued....**

**Project Development (Cont.)**

- |     |   |         |  |
|-----|---|---------|--|
| 13. | <p><b>Interstate 10 (I-10)/Cherry Avenue and Interstate 10/Citrus Avenue Interchange Projects</b></p> <p>1. Approve Amendment No. 1 to Contract C08050 with T.Y. Lin International for Design Engineering Services for Cherry and Citrus Avenue Interchanges on I-10 increasing the original contract amount of \$9,000,000 by \$1,709,088 for a new contract value of \$10,709,088.</p> <p>2. Approve Amendment No. 1 to Design Cooperative Agreement C08055 with the City of Fontana and the County of San Bernardino for the I-10/Cherry Avenue Interchange increasing the original contract amount of \$5,065,263 by \$770,248 for a new contract value of \$5,835,111, with SANBAG's contribution increasing by \$277,289 for a total contribution of \$2,100,784.</p> <p>3. Approve Amendment No. 1 to Design Cooperative Agreement C08053 with the City of Fontana and the County of San Bernardino for the I-10/Citrus Avenue Interchange increasing the original contract amount of \$3,934,737 by \$938,840 for a new contract value of \$4,873,577, with no additional SANBAG contribution. <b>Garry Cohoe</b></p> <p>This item was reviewed and recommended for approval (12-0-1; Abstained: Supervisory Derry) by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved the agreements as to form.</p> | Pg. 97  | <p><b>Approved Consent</b><br/> <b>23-0-3</b><br/> <b>ABSTAINED:</b><br/> <b>Mitzelfelt</b><br/> <b>Derry</b><br/> <b>Gonzales</b></p> |
| 14. | <p><b>Proposed new State Route 210 (SR-210)/Pepper Avenue Interchange in the City of Rialto</b></p> <p>Authorize Staff to release a Request for Proposals (RFP) No. 11002 for environmental and engineering professional services for a proposed new interchange at SR-210 and Pepper Avenue in the City of Rialto. <b>Garry Cohoe</b></p> <p>This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved the agreement as to form.</p>  | Pg. 171 | <p><b>Approved Consent</b></p>   |

**Consent Calendar Continued....****Project Development (Cont.)**

- 15. North Milliken Grade Separation Project in the City of Ontario** Pg. 180 **Approved Consent**
1. Approve the North Milliken Grade Separation project Plans, Specifications, and Estimates (PS&E) package; and
  2. Authorize the Director of Freeway Construction to advertise for Construction Bids for the North Milliken Grade Separation project; and
  3. Allow award of the construction contract for the North Milliken Grade Separation project to proceed directly to the Board of Directors without Major Projects Committee review **Garry Cohoe**
- This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010.

**Transportation Programs & Fund Administration**

- 16. Allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2010/2011** Pg. 182 **Approved Consent**
- Adopt Resolution 11-001 authorizing the allocation of Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for Fiscal Year 2010/2011. **Ryan Graham**
- This item was reviewed by the Administrative Committee on June 9, 2010 and unanimously recommended for approval.
- 17. Measure I 2010-2040 Reserve Policy** Pg. 186 **Approved Consent**
- Approve Amendment to the Strategic Plan establishing policies for a Measure I reserve in the Valley, Victor Valley and Rural Mountain/Desert subareas, as identified in Attachments 1, 2, and 3. **Ty Schuiling**
- This item was reviewed and unanimously recommended for approval by the Administrative Committee on June 9, 2010.



## **DISCUSSION ITEMS**

### **Regional & Quality of Life Programs**

**18. Assignment of Freeway Service Patrol (Beat 4) Contract** Pg. 203

Approve Amendment No. 1 to Contract No. 10-081 approving the assignment of Beat 4 Freeway Service Patrol (FSP) Contract from Roy & Dot's Truck Specialties, Inc., to DK&J Enterprises, Inc., dba Roy & Dot's Towing. **Kelly Lynn**

Item has not been reviewed by a Policy Committee due to time constraints. Item to be reviewed at Board on July 7, 2010. The Contract amendment has been reviewed by Legal Counsel as to form.

**This item was heard after Agenda Item 22.**

**MOVED:**  
**Yates**  
**SECOND:**  
**Williams**  
**26-0-0**

### **Transportation Fund Administration**

**19. Pre-Application for Federal TIGER II Grant** Pg. 208

Approve submittal of pre-applications for Federal TIGER II Grants.  
**Deborah Robinson Barmack**

This item has not received prior policy committee review. The item is being presented directly to the Board for discussion due to application deadline considerations.

**President Mitzelfelt stated that Senator Feinstein is supporting a bill aimed at creating new national monuments which could benefit the National Trails Highway bridges. He requested further discussion with the Senator's office to identify funding options or regulatory relief for the bridges.**

**MOVED:**  
**Chastain**  
**SECOND:**  
**Gonzales**  
**26-0-0**

### **Transit Commuter Rail**

**20. Right-of-Way Services Agreement with Omnitrans for the E Street sbX BRT** Pg. 209

1. Approve Contract No. C10263 between SANBAG and Omnitrans to perform the right-of-way acquisition for the E Street sbX bus rapid transit (BRT) project.

2. Approve budget amendment to increase the FY 2010/2011 budget for Task No. 315111 Omnitrans in the amount of \$9.9 million, as identified in the Financial Impact Section. **Mitch Alderman**

This item has not had prior policy committee review; however, the information supporting this agenda item was reviewed by the Commuter Rail and Transit Committee on May 21, 2010 and by the Board of Directors on June 2, 2010. The Omnitrans Board of Directors has also reviewed and approved the execution of the agreement by their executive director at its June 2 meeting.

**Agenda Items 20 and 21 were discussed together.**

**MOVED:**  
**Morris**  
**SECOND:**  
**Chastain**  
**26-0-0**

**Discussion Items Continued... .**

**Transit Commuter Rail (Cont.)**

- 21. Amendment No. 1 to Contract C10079 with HDR Engineering Inc.** Pg. 212

1. Approve Amendment No. 1 to Contract No C10079 with HDR Engineering Inc., in an amount of \$1,021,704, increasing the total contract amount from \$7,390,150 to \$8,411,854 for costs of acquiring the right-of-way for the Omnitrans E Street sbX project, Task No. 31511000. **Mitch Alderman**

This item in general was reviewed by the Commuter Rail and Transit Committee on May 21, 2010 and by the Board of Directors on June 2, 2010.

**Agenda Items 20 and 21 were discussed together.**

**MOVED:**  
**Morris**  
**SECOND:**  
**Chastain:**  
**26-0-0**

**Project Development**

- 22. Hunts Lane Railroad Grade Separation -- Hearing to Consider Resolution of Necessity** Pg. 222

1. Acting as the County Transportation Commission, the SANBAG Board will conduct a public hearing to consider condemnation of real property required for the Hunts Lane Grade Separation project in the City of San Bernardino and the City of Colton and,

2. Adopt Resolution of Necessity (Resolution No. 11-002) authorizing condemnation of real property declaring the following: (2/3<sup>rd</sup> majority vote required for recommendation item 2)

a. The public interest and necessity require the project described in the proposed Resolution of Necessity.

b. The project is planned and/or located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The property to be acquired is necessary for the project.

d. An offer required by Section 7267.2 of the Government Code has been made to the owner of record. **Garry Cohoe**

This item was reviewed by the Major Projects Committee on June 10, 2010. This item has been reviewed by SANBAG Legal Counsel.

**President Mitzelfelt opened the public hearing for comments. No public comments were received and the hearing was closed. This item was heard as the first Discussion Calendar item.**

**MOVED:**  
**Gonzales**  
**SECOND:**  
**Derry**  
**26-0-0**

**Discussion Items Continued....**

**Project Development (Cont.)**

23. Contract with Kathleen Murphy-Perez for Contract Management Services Pg. 232

Approve **Sole Source** Contract C11005 with Kathleen Murphy-Perez to provide Contract Management Services for an amount not to exceed \$300,000. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on June 10, 2010. SANBAG Counsel has reviewed and approved the agreement as to form.

**Motion to approve the staff recommendation with revision to contract language clarifying a Not-To-Exceed amount of \$300,000 including reimbursable expenses.**

**MOVED:**  
**Gilbreath**  
**SECOND:**  
**Jahn**  
**26-0-0**

**Other Matters**

24. Consent Calendar Items Pulled for Discussion  
Agenda Item 10.

**Comments from Board Members**

Mayor Pro Tem Jahn thanked the Board of Supervisors and the County for sponsoring the San Bernardino County Workforce Business Development Workshop on June 24, 2010.

Mayor Riddell issued an invitation to the Ribbon Cutting and Opening of the Yucaipa Transit Center on July 12, 2010 at 4:30 p.m.

Supervisor Gonzales announced HUD awarded \$5,365,304 to the Housing Authority of San Bernardino for homeless assistance projects.

**Public Comment: NONE**

**Adjourned to Closed Session**

**CLOSED SESSION**

Conference with Labor Negotiator (Brad Mitzelfelt)  
regarding public employee performance evaluation pursuant to  
Government code Section 54957  
Unrepresented Employee: Executive Director

Conference with Labor Negotiator (Brad Mitzelfelt)  
pursuant to Government Code Section 54957.6  
Unrepresented Employee: Executive Director

**Reconvene To Regular Session:**

**25. Executive Director Contract Amendment**

Pg. 241

Approve Amendment No. 2 to Executive Director Employment  
Contract No. C08-098 with Deborah Robinson Barmack.  
**Brad Mitzelfelt**

This item was reviewed by the Administrative Committee on  
June 9, 2010.

**This agenda item was revised to provide clarification regarding  
the financial impact of the amendment.**

**MOVED:**  
**Gonzales**  
**SECOND:**  
**Jahn**  
**22-0-3**  
**OPPOSED:**  
**Graham**  
**Wapner**  
**Scott**

**ADJOURNMENT in memory of  
David Richard Lewis**

**Additional Information**

**Agency Reports/Committee Memberships**

Commuter Rail Report Pg. 242

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 245

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC) Pg. 248

Council Member Gwenn Norton-Perry

**SCAG Committees**

Pg. 251

SCAG Regional Council

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

**SANBAG Policy Committees**

Pg. 252

**Acronym List**

Pg. 255

Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

## Meeting Procedures and Rules of Conduct

### **Meeting Procedures**

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

### **Accessibility**

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

**Agendas** – All agendas are posted at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: [www.sanbag.ca.gov](http://www.sanbag.ca.gov). Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

**Agenda Actions** – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

**Closed Session Agenda Items** – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

**Agenda Times** – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

**Public Comment** – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

**Disruptive Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings  
of  
Board of Directors and Policy Committees**

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

**The Vote as specified in the SANBAG Bylaws.**

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

**Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

**Call for the Question.**

- At times, a member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

**The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

**Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*